

# COMMITTEE REPORT

## MR. PRESIDENT:

**The Senate Committee on Judiciary, to which was referred Senate Bill No. 298, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1           Page 5, between lines 13 and 14, begin a new paragraph and insert:  
2           "SECTION 13. IC 33-5-10.8-11 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. The court shall hold  
4           its sessions in the DeKalb County courthouse in Auburn, Indiana, or in  
5           such other places in the county as the board of county commissioners  
6           of DeKalb County may provide. The board of county commissioners  
7           shall provide and maintain a suitable ~~courtroom~~ **courtrooms** and other  
8           rooms and facilities, including furniture and equipment, as may be  
9           necessary. The county council of DeKalb County shall appropriate  
10          sufficient funds for the provision and maintenance of such rooms and  
11          facilities."  
12          Page 14, between lines 2 and 3, begin a new paragraph and insert:  
13          "SECTION 31. IC 33-19-7-1 IS AMENDED TO READ AS  
14          FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) The clerk of a  
15          circuit court shall semiannually distribute to the auditor of state as the  
16          state share for deposit in the state general fund seventy percent (70%)  
17          of the amount of fees collected under the following:  
18               (1) IC 33-19-5-1(a) (criminal costs fees).  
19               (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).  
20               (3) IC 33-19-5-3(a) (juvenile costs fees).

- 1 (4) IC 33-19-5-4(a) (civil costs fees).
- 2 (5) IC 33-19-5-5(a) (small claims costs fees).
- 3 (6) IC 33-19-5-6(a) (probate costs fees).
- 4 (7) IC 33-19-6-16.2 (deferred prosecution fees).
- 5 (b) The clerk of a circuit court shall semiannually distribute to the
- 6 auditor of state for deposit in the state user fee fund established under
- 7 IC 33-19-9-2 the following:
  - 8 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
  - 9 interdiction, and correction fees collected under
  - 10 IC 33-19-5-1(b)(5).
  - 11 (2) Twenty-five percent (25%) of the alcohol and drug
  - 12 countermeasures fees collected under IC 33-19-5-1(b)(6),
  - 13 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
  - 14 (3) Fifty percent (50%) of the child abuse prevention fees
  - 15 collected under IC 33-19-5-1(b)(7).
  - 16 (4) One hundred percent (100%) of the domestic violence
  - 17 prevention and treatment fees collected under IC 33-19-5-1(b)(8).
  - 18 (5) One hundred percent (100%) of the highway work zone fees
  - 19 collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).
  - 20 (6) One hundred percent (100%) of the safe schools fee collected
  - 21 under IC 33-19-6-16.3.
- 22 (c) The clerk of a circuit court shall monthly distribute to the county
- 23 auditor the following:
  - 24 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
  - 25 interdiction, and correction fees collected under
  - 26 IC 33-19-5-1(b)(5).
  - 27 (2) Seventy-five percent (75%) of the alcohol and drug
  - 28 countermeasures fees collected under IC 33-19-5-1(b)(6),
  - 29 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 30 The county auditor shall deposit fees distributed by a clerk under this
- 31 subsection into the county drug free community fund established under
- 32 IC 5-2-11.
- 33 (d) The clerk of a circuit court shall monthly distribute to the county
- 34 auditor fifty percent (50%) of the child abuse prevention fees collected
- 35 under IC 33-19-5-1(b)(8). The county auditor shall deposit fees
- 36 distributed by a clerk under this subsection into the county child
- 37 advocacy fund established under IC 12-17-17.
- 38 **(e) The clerk of a circuit court shall monthly distribute to the**

1 **county auditor one hundred percent (100%) of the late payment**  
 2 **fees collected under IC 33-19-6-18. The county auditor shall**  
 3 **deposit fees distributed by a clerk under this subsection in the**  
 4 **county general fund.**

5 SECTION 32. IC 33-19-7-4 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The clerk of a  
 7 city or town court shall semiannually distribute to the auditor of state  
 8 as the state share for deposit in the state general fund fifty-five percent  
 9 (55%) of the amount of fees collected under the following:

- 10 (1) IC 33-19-5-1(a) (criminal costs fees).
- 11 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- 12 (3) IC 33-19-5-4(a) (civil costs fees).
- 13 (4) IC 33-19-5-5 (small claims costs fees).
- 14 (5) IC 33-19-6-16.2 (deferred prosecution fees).

15 (b) Once each month the city or town fiscal officer shall distribute  
 16 to the county auditor as the county share twenty percent (20%) of the  
 17 amount of fees collected under the following:

- 18 (1) IC 33-19-5-1(a) (criminal costs fees).
- 19 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- 20 (3) IC 33-19-5-4(a) (civil costs fees).
- 21 (4) IC 33-19-5-5 (small claims costs fees).
- 22 (5) IC 33-19-6-16.2 (deferred prosecution fees).

23 (c) The city or town fiscal officer shall retain twenty-five percent  
 24 (25%) as the city or town share of the fees collected under the  
 25 following:

- 26 (1) IC 33-19-5-1(a) (criminal costs fees).
- 27 (2) IC 33-19-5-2(a) (infraction or ordinance violation costs fees).
- 28 (3) IC 33-19-5-4(a) (civil costs fees).
- 29 (4) IC 33-19-5-5 (small claims costs fees).
- 30 (5) IC 33-19-6-16.2 (deferred prosecution fees).

31 (d) The clerk of a city or town court shall semiannually distribute to  
 32 the auditor of state for deposit in the state user fee fund established  
 33 under IC 33-19-9 the following:

- 34 (1) Twenty-five percent (25%) of the drug abuse, prosecution,  
 35 interdiction, and corrections fees collected under  
 36 IC 33-19-5-1(b)(5).
- 37 (2) Twenty-five percent (25%) of the alcohol and drug  
 38 countermeasures fees collected under IC 33-19-5-1(b)(6),

- 1 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 2 (3) One hundred percent (100%) of the highway work zone fees
- 3 collected under IC 33-19-5-1(b)(9) and IC 33-19-5-2(b)(5).
- 4 (4) One hundred percent (100%) of the safe schools fee collected
- 5 under IC 33-19-6-16.3.
- 6 (e) The clerk of a city or town court shall monthly distribute to the
- 7 county auditor the following:
  - 8 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
  - 9 interdiction, and corrections fees collected under
  - 10 IC 33-19-5-1(b)(5).
  - 11 (2) Seventy-five percent (75%) of the alcohol and drug
  - 12 countermeasures fees collected under IC 33-19-5-1(b)(6),
  - 13 IC 33-19-5-2(b)(4), and IC 33-19-5-3(b)(5).
- 14 The county auditor shall deposit fees distributed by a clerk under this
- 15 subsection into the county drug free community fund established under
- 16 IC 5-2-11.
- 17 **(e) The clerk of a city or town court shall monthly distribute to**
- 18 **the city or town fiscal officer (as defined in IC 36-1-2-7) one**
- 19 **hundred percent (100%) of the late payment fees collected under**
- 20 **IC 33-19-6-18. The city or town fiscal officer (as defined in**
- 21 **IC 36-1-2-7) shall deposit fees distributed by a clerk under this**
- 22 **subsection in the city or town general fund."**
- 23 Page 15, line 4, delete "DeKalb" and insert "**Howard**".
- 24 Page 15, line 5, delete "No. 2".
- 25 Renumber all SECTIONS consecutively.
- (Reference is to SB 298 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 10, Nays 0.

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Bray

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Chairperson